

FREQUENTLY ASKED QUESTIONS

Question: Why do I need to get fingerprinted to work in a Community Care Facility (CCF)?

Answer: It is the Law. California law requires all persons 18 and older that operate, work or live in a CCF obtain a fingerprint clearance.

Question: How do I get a fingerprint clearance?

Answer: You must do 2 things:

1. Complete a form named Criminal Record Statement (LIC 508). You must truthfully provide all history of any criminal record you have except for minor traffic violations resulting in a fine of \$300 or less.
2. Submit your fingerprints to the Department of Justice.

Question: How do I submit my fingerprints?

Answer: The fastest way is by contacting your local licensing office to locate the nearest Live Scan fingerprint site. You must make an appointment and go to the site to submit your fingerprints.

Click here to see a list of local licensing offices:

http://www.cclid.ca.gov/RegionalOf_1829.htm

Click here to see a list of live scan sites:

http://www.cclid.ca.gov/res/pdf/livescan_locations.pdf

Question: Where do my fingerprints go?

Answer: Your fingerprints are electronically forwarded to the Department of Justice and to the Federal Bureau of Investigation to determine if you have any reportable arrests or convictions. If you will be working in a children's facility, your name and your identifying information will also be checked on the Child Abuse Central Index.

Question: What is a fingerprint reject?

Answer: Department of Justice will reject fingerprints that are smudged or not readable. DOJ will send a notice to the licensee that the fingerprint applicant requesting employment in their facility has a fingerprint reject. The licensee must give the notice to the

fingerprint applicant and the applicant must be reprinted. The applicant should make an appointment and go back to the same live scan site to have their fingerprints done again. If you bring the live scan transaction receipt and the fingerprint reject notice to the live scan site, you will not be charged to be reprinted. Make sure your reprint submission has the same ATI number that was used on your original fingerprint submission or DOJ will not understand that you are being reprinted due to a reject of the first fingerprint submission.

Question: What happens if I have no criminal history?

Answer: You will receive a notice directly from the Department of Justice that you have no criminal history. You should retain the letter from DOJ for your permanent record.

The Department of Social Services will also be notified.

Question: What is a delay notice?

Answer: The Department of Justice will send the licensee a delay notice if they cannot process a clearance timely. The delay notice will be sent once DOJ determines that there will be a delay in sending your clearance.

Question: Why did I get a delay notice?

Answer: There could be several reasons:

1. DOJ may need to check something about your record. This means that they may need to contact a reporting agency like a police, sheriff, child welfare agency or a court to obtain further information and determine if you have a reportable record.
2. DOJ may have an incomplete record and need to obtain additional information about the results of an incident on your record.
3. DOJ may have difficulty determining if you are related to a record due to an error on the record or as a result of circumstances that would require further review like identical names and birth dates with another person. A delay may be required to manually search the record and make sure that the record is correct.

Question: How long do I have to wait if I am sent a delay notice?

Answer: We suggest you wait at least 30 days. After 30 days, you can send DOJ's form BCII 8043 to DOJ and request a follow up.

Click here to get the form:

<http://caag.state.ca.us/fingerprints/forms/followup.pdf>.

Question: I did not get a delay notice from DOJ and 30 days has passed. I have a criminal history. What should I do?

Answer: Check with the licensee to see if an exemption package has been sent. The licensee can also check with the local licensing office to determine if the Licensing Information System has information about the status of your case.

When you submit your fingerprints and you have a criminal history, DOJ will send your record, commonly called a rap sheet, to the Department of Social Services. The Department will send a notice to the licensee where you have applied to work. The notice will inform the licensee that you have a record and require an exemption. If the licensee agrees to request an exemption on your behalf, you must complete the exemption package sent to the licensee. You cannot work at the facility unless you receive an exemption.

If the licensee chooses not to request an exemption for you to work in their facility, the licensee is required to give you a notice that you can apply for an exemption on your own behalf.

The exemption package must be complete and sent to the Department timely. We will examine your record and history to determine if you can have an exemption to work in a facility. You will be given an exemption only if you can show that you are sufficiently rehabilitated and that you are no longer involved in any criminal activity.

Question: How long do I have to wait for an exemption request to be processed?

Answer: The Department is required to review all of the information requested in the exemption package. Certified records that explain your history, usually a police report and/or court judgment of conviction may be needed if we do not have enough evidence to make a decision on your case. If we need additional documentation from the reporting agency, we cannot proceed until

the records are received. If the reporting agency does not send the reports, we must continue to request them. You can expedite your exemption request by providing as much information as possible. If you obtain any reports from the original reporting agencies and submit them, this may allow us to consider an exemption quicker. Copies of any records you have will help us make a decision on your exemption request.

Question: What if my exemption request is denied.

Answer: You will receive a letter from the Department informing you that your exemption has been denied.

Question: What happens if I appeal?

Answer: Your case will be forwarded to our legal department and you will be scheduled for a hearing before an Administrative Law Judge.

Before the hearing is scheduled, the Department will request copies of all police, sheriff, child welfare and court documents related to your criminal history.

Question: What is a non-exemptible crime?

Answer: If you have been convicted of a non-exemptible crime, the Department is prohibited from giving you an exemption.

Click here to see a list of non-exemptible crimes:

http://ccl.dss.cahwnet.gov/res/pdf/non_exemptible_list_07_03.pdf

Question: I submitted fingerprints and have not received any response. I do not have any criminal record. How long should I wait?

Answer: After 60 days, we suggest you ask the licensee to contact the local licensing office to check the status of your fingerprints. The local licensing office will check the Departments Licensing Information System. If the local licensing office is unable to determine the status of your fingerprint submission, the licensing office representative should contact the Caregiver Background Check Bureau to determine the status of your fingerprint submission.

Question: I have an exemption. I want to start working in another facility. Should I fingerprint again? How do I transfer my exemption from where I currently work to the new facility?

Answer: Do not submit another set of fingerprints. Ask the licensee of the new facility to submit a completed Criminal Record Exemption Transfer form (LIC 9188). The form must be signed by the new licensee, administrator or manager.

Click here for a copy of the form:

<http://www.dss.cahwnet.gov/pdf/LIC9188.PDF>

The form must be submitted to the local licensing office by the licensee. The form will be forwarded by the local licensing office to the Caregiver Background Check Bureau who will process the transfer and if approved, transfer your exemption to the new facility. Caregiver Background Check Bureau will update the Department's Licensing Information System to show your association to the new facility. You cannot begin working at the new facility until the licensee receives approval by letter of the exemption transfer.